



Section 32 Evaluation Report

Energy and Utilities

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Section 32 Evaluation Report: Energy and Utilities

Abbreviations

- **NPS-REG:** The National Policy Statement for Renewable Electricity Generation 2011
- **NSPET:** The National Policy Statement for Electricity Transmission 2008

1. Strategic Context

The Queenstown Lakes District Council is preparing a new district plan under section 74 of the Resource Management Act 1991 (RMA or the Act). Section 74(1) sets out matters which are to be considered by territorial authorities when preparing or changing district plans. That section states that district plans must be prepared in accordance with the functions for territorial authorities set out in section 31, the provisions of Part 2, the duties under section 32, and any regulations.

Section 74(2) of the Act requires that when preparing or changing a district plan, a territorial shall have regard to:

- (a) any –
 - (i) *Proposed regional policy statement; or*
 - (ii) *Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
- (b) any-
 - (i) *Management plans and strategies prepared under other Acts; and*
 - (ii) *Repealed*
 - (iia) *Relevant entry [on the New Zealand Heritage List/Rarangi Korero required by the Heritage New Zealand Pouhere Taonga Act 2014]; and*
 - (iii) *Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—*
to the extent that their content has a bearing on resource management issues of the district; and
- (c) *The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*

Section 74(2A) requires that when preparing a district plan a territorial authority must take into account:
Any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

Section 75 of the Act details the requirements for the content of district plans. Section 75 of the Act states that:

- (3) *A district plan must give effect to –*
 - a) *any national policy statement; and*
 - b) *any New Zealand coastal policy statement; and*
 - c) *any regional policy statement.*
- (4) *A district plan must not be inconsistent with -*
 - a) *a water conservation order; or*
 - b) *a regional plan for any matter specified in section 30(1).*

Consideration has been given to the matters detailed in sections 74 and 75 of the Act, as outlined in Sections 2 to 5 below.

2. National Planning Documents

National Policy Statements

There are currently four operative National Policy Statements which the Queenstown Lakes District Plan must give effect to. These include:

- The New Zealand Coastal Policy Statement 2010
- The National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG)
- The National Policy Statement for Freshwater Management 2011
- The National Policy Statement for Electricity Transmission 2008 (“NSPET”)

All of the above policy statements (with the exception of the Coastal Policy Statement) are relevant to the consideration of Energy and Utilities activities within the District. Details of how the provisions of Chapter 30 give effect to these National Policy Statements is discussed further in this report below.

National Environmental Standards

National environmental standards are regulations made under section 43 of the RMA. They can prescribe technical standards, methods or other requirements for environmental matters. In some circumstances, local authorities can impose stricter standards. There are three national environmental standards which are relevant to the proposed chapter, these include:

- The National Environmental Standards for Electricity Transmission Activities;
- The National Environmental Standards for Telecommunication Facilities Regulations 2008; and
- The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012.

Proposed Chapter 30 does not impose a greater prohibition or restriction on an activity to which the various National Environmental Standards (“NES”) already imposes. Therefore, no further evaluation of these NES standards is required for this evaluation (section 32(4)).

3. Regional Planning Documents

Regional Policy Statement

Otago's Regional Policy Statement (“RPS”) promotes the sustainable management of natural and physical resources by giving an overview of the resource management issues facing Otago, and by setting policies and methods to manage Otago's natural and physical resources.

The Operative RPS contains chapters 6, 7, 12 and 13 (Water, Air, Energy and Waste) which are relevant to the Energy and Utilities Chapter. The relevant objectives and policies include objectives 6.4.1, 6.4.3, 6.4.4, 6.4.7 and 6.4.8 and policy 6.5.1; objectives 7.4.1 and policy 7.5.5; objectives 12.4.1 - 12.4.3 and policies 12.5.1 - 12.5.2 and 12.5.4 and objective 13.4.1 and policy 13.5.1 and 13.5.2.

Proposed Regional Policy Statement

Section 74 of the Act requires that a District Plan must “*have regard to*” any proposed regional policy statement. The Proposed RPS was released for formal public notification on the 23 May 2015, and contains the following objectives and policies relevant to the Energy and Utilities Chapter framework:

Matter	Objectives	Policies
Energy supplies to Otago's communities are secure and sustainable	3.6	3.6.1 to 3.6.6
Urban areas are well designed, sustainable and reflect local character	3.7	3.7.3
Otago's significant and highly-valued natural resources are identified, and protected or enhanced	2.2	2.2.4

Overall, the Proposed RPS seeks to encourage renewable energy generation, enable small scale domestic energy generation, and reduce long term demand for fossil fuels. The provisions of Chapter 30 have had regard to this approach, in particular through enabling Small and Community-Scale Distributed Electricity Generation and Solar Water Heating as permitted activities; and promoting energy conservation as a matter for consideration in site layout and design.

Regional Plans

There are four operative regional plans within the Otago Region relating to air, water, coast and waste. The purpose of the Otago Regional Plan: Air is to promote the sustainable management of the air resource in the

Otago region. The Otago Regional Plan: Water is for the use, development and protection of Otago's rivers, lakes, aquifers and wetlands. The Otago Regional Plan: Coast is relevant to the coastal marine area. The Otago Regional Plan: Waste applies to solid waste management, including waste minimisation, contaminated sites, hazardous substances and hazardous wastes and landfills. Chapter 30 does not seek to address any matters that are managed under the Otago Regional Plans for the Coast.

The Regional Plan - Air includes relevant objective 6.1.1 relating to energy emissions and associated policy 6.1.2 which are relevant to Chapter 30. The provisions recognise that the management of waterways associated with Mini and Micro Hydro Electricity Generation activities are also governed by the Otago Regional Council Water Plan rules.

The Regional Plan – Water includes a number of objectives and policies which relate specifically to Hydro Electricity and flood protection works which are relevant to Chapter 30 (objectives 5.3.1 – 5.3.7; 6.3.1 – 6.3.7; 6.6A.3; 8.3.1 – 8.3.11 and 10.31). The provisions recognise that the management of air discharges from Biomass Electricity Generation are also governed by the Otago Regional Council Air Plan rules.

The Regional Plan – Waste includes a number of objectives and policies which relate specifically to the management and control of waste in sections 6.3 and 7.3 which are relevant to Chapter 30.

4. Iwi Management Plans

Kai Tahu Ki Otago Resource Management Plan

The Kai Tahu Ki Otago Resource Management Plan (2005) (NRMP) is the principal planning document for Kai Tahu Ki Otago (KTKO) ((KTKO is used to describe the four Papatipu Runanga and associated whanau and ropu of the Otago Region). Chapter 5 of the NRMP identifies issues, objectives and policies for the Otago Region as a whole, and includes the following objectives:

- i. The rakātirataka and kaitiakitaka of Kāi Tahu ki Otago is recognised and supported.*
- ii. Ki Uta Ki Tai management of natural resources is adopted within the Otago region.*
- iii. The mana of Kāi Tahu ki Otago is upheld through the management of natural, physical and historic resources in the Otago Region.*
- iv. Kāi Tahu ki Otago have effective participation in all resource management activities within the Otago Region.*
- v. The respective roles and responsibilities of Manawhenua within the Otago Region are recognised and provided for through the other objectives and policies of the Plan.*

Chapter 10 sets out objectives and policies as they are relevant to the Clutha/Mata-au Catchment, within the Queenstown Lakes District Council area. There are provisions within the plan which relate specifically to hydro-electricity schemes and the identification of *Cultural Landscapes* which have the potential to be adversely affected by energy developments and infrastructure. The proposed objectives and policies of the Energy and Utilities chapter include provisions which seek to ensure that the potential for adverse effects on recreation and cultural values (including relationships with takata whenua) are avoided, remedied or mitigated. Chapter 30 will not offend any of the relevant objectives and policies.

Ngai Tahu Ki Murihiku Natural Resource and Environmental Iwi Management Plan (2008)

The Ngai Tahu Ki Murihiku Natural Resources and Environmental Iwi Management Plan (Murihiku Plan) was issued in 2008 and consolidates Ngai Tahuki Murihiku values, knowledge and perspectives on natural resources and environmental management issues. The Murihiku Plan identifies kaitiakitanga, environmental and social, economic, health and wellbeing outcomes that need to be recognised when preparing a district plan. Chapter 30 will not offend any of the relevant objectives and policies.

5. Section 32 Evaluation

All Districts must be evaluated as directed by section 32 of the RMA. Section 32(1) and (2) specifies what the evaluation must examine.

- (1) An evaluation report required under this Act must—*

- (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must—*
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

Section 32(3) relates to “amending proposals”. As Council is preparing a new ‘proposed’ district plan, this section is not considered to be applicable.

This report has been developed to address the requirements of Section 32 of the RMA.

6. Resource Management Issues

Part 2 of the RMA details the purpose and principals which includes:

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The RMA defines “Natural and physical resources” as:

natural and physical resources includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures

In order to give effect to this purpose the Government has issued a number of National Policy Statements including the NPS-REG and the NPSET which seek to enable sustainable management.

The NPS-REG confirms that:

- renewable electricity generation, regardless of scale, makes a crucial contribution to the well-being of New Zealand, its people and the environment, and any reductions in existing renewable energy generation will compromise the achievement of the Government’s renewable electricity target of 90% of electricity from renewable sources by 2025; and
- the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities throughout New Zealand, and the associated benefits of renewable electricity generation, are matters of national significance.

In light of this, the key messages emerging from the NSP_REG is that local authorities are required to adopt a positive and proactive policy response to renewable electricity generation activities in policy statements and plans that apply at national, regional and local levels.

The NPSET facilitates the operation, maintenance, upgrading and development of the electricity transmission network and complements the NPS_REG. The NPSET seeks to ensure that, in providing for the transmission of electricity within a district and in managing the effects of the transmission network on the environment, the operational and long-term development requirements of the network are appropriately considered and its status as a linear cross-boundary network is fully recognised. The Energy and Utilities Chapter seeks to give effect to these national policy statements in conjunction with providing for other local, regional and nationally critical infrastructure.

7. Purpose

The overarching purpose of the Energy and Utilities Chapter is to provide for the sustainable management and growth of local, regional and nationally critical infrastructure and energy development.

Combining Energy and Utilities into a single chapter recognises the close association between the development of energy resources, the generation of electricity and the provision of essential utilities throughout the District.

Chapter 30 will provide for existing and future Energy and Utilities activities to occur over the next planning period. The following sections of this report have been provided in order to fulfil the statutory requirements of section 32 of the RMA.

8. Evaluation of proposed Objectives - Section 32 (1) (a)

Section 32(1)(a) of the RMA requires the evaluation to examine the extent that a new objective is the most appropriate way to achieve the purpose of the Act. This section of the report considers the objectives in the context of the purpose of the Act.

As indicated in Section 5 of this report the purpose of the Act demands an integrated planning approach and direction.

The remaining provisions in Part 2 of the Act, including sections 6, 7 and 8 provide a framework within which objectives are required to achieve the purpose of the Act and provisions are required to achieve the relevant objectives. Section 7 (abbreviated below) is particularly relevant to Chapter 30:

Section 7 Other Matters

In achieving the purpose of this Act, all persons exercising functions and power under it, in relation to managing the use, development, and protecting of natural and physical resources, shall have particular regard to

-
- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (f) *maintenance and enhancement of the quality of the environment:*

The extent to which the proposed objectives meet the overarching purpose of the Act is set out below.

<i>Proposed Objective</i>	<i>Appropriateness</i>
Proposed Objective 30.2.1 The benefits of the District’s renewable and non-renewable energy resources and the electricity generation facilities that utilise such resources are recognised as locally, regionally and nationally important in the sustainable management of the District’s resources.	The proposed objective is considered to be the most appropriate way to achieve the purposes of the Act as it recognises the importance of energy to the development and functioning of society. The RMA definition of “natural and physical resources” includes energy and the objective seeks to sustain the potential of energy resources to meet the reasonably foreseeable needs of future generations [s5(a)]. In respect of matters under Section 7, the objective provides a framework that will ensure that the District Plan gives consideration to the effects of climate change [s7(i)] and that the benefits of the use and development of renewable energy [s7(j)] are recognised and provided for. The objective gives effect to the requirements of the NPS-REG. Gives effect to RPS objectives 5.4.1; 7.4.1; 9.4.1; 12.4.1 – 12.4.3 (inclusive). Gives effect to RPS policies: 5.5.1; 7.5.4; 7.5.5; 9.5.2; 12.5.1; 12.5.2 and 12.5.4. Has regard to Proposed RPS policies 3.6.2, 3.6.3, 3.6.5.
Proposed Objective 30.2.2 Recognise that the use and development of renewable energy resources have the following benefits: • Maintains or enhances electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions; • Maintains or enhances the security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation; • Assists in meeting international climate change obligations; and • Reduces reliance on imported fuels for the purpose of generating electricity.	The proposed objective is considered to be the most appropriate way to achieve the purpose of the Act as it specifically recognises the benefits associated with the use and development of renewable energy resources. Renewable electricity generation, regardless of scale, contributes to the well-being of New Zealand and by recognising its national significance it will continue meeting the reasonably foreseeable needs of future generations. As identified above, the Government has set a target for 90% of the country’s electricity to be generated from renewable resources by the year 2025. To achieve this, the NPS_REG has been put in place. The District Plan must give effect to this National Policy Statement. It is recognised that to achieve the target New Zealand will require significant development of renewable electricity generation activities along with the protection of output from existing activities. This is further reinforced by Section 7(j) of the Act which requires Council to have particular regard to the benefits derived from the use and development of renewable energy. Supporting policies to this objective enable research into alternative renewable energy technologies which will result in efficiency in the end use of energy [s7(ba)]; enable a better understanding of the finite characteristics of natural and physical resources [s7(g) and renewable electricity generation on climate change [s7(i)] to be obtained and ultimately to evaluate the benefits to be

	derived from the use and development of new renewable energy technologies [s7(j)]. The objective gives effect to the requirements of the NPS-REG. Gives effect to RPS objectives 5.4.1; 7.4.1; 9.4.1; 12.4.1 – 12.4.3 (inclusive). Gives effect to RPS policies: 5.5.1; 7.5.4; 7.5.5; 9.5.2; 12.5.1; 12.5.2 and 12.5.4. Has regard to Proposed RPS objective 3.6 and Policies 3.6.1, 3.6.3, 3.6.4 and 3.6.5.
Proposed Objective 30.2.3 Energy resources are developed and electricity is generated, in a manner that minimises adverse effects on the environment.	This objective seeks to manage the adverse effects of the development of energy resources and electricity generation at any scale to maintain and enhance amenity values, the intrinsic value of ecosystems and quality of the environment. This objective is the most appropriate way to achieve the purpose of the Act as it encourages energy development that minimises environmental effects, while recognising the importance of energy resources. Energy use is essential to the regional and national economy and supports community, social and economic wellbeing. Using energy efficiently and developing utilities sustainably can maintain resource potential for future generations (s5(2)(a), minimise effects on life supporting capacity of resources (e.g. air and water) [s 5(2)(b)] and avoid or mitigate environmental effects associated with the resource use and development [s 5(2) (c)]. In respect of matters under Sections 6 and 7, the objective provides a framework that will ensure that energy resources are managed and used efficiently [s 7(b)] and effects on the environment from the development of renewable energy resources, including effects on natural features and landscapes [s6(a)] ecosystems [s 7(d)] and the quality of the environment [s7(f)] are minimised. Consistent with Goals 3.2.1, 3.2.4 and 3.2.5 of the Proposed Strategic Direction Chapter. Gives effect to RPS objectives 5.4.1; 5.4.2; 5.4.3; 6.4.2; 6.4.3 7.4.1; 9.4.1; 9.4.3; 12.4.1 – 12.4.3 (inclusive). Gives effect to RPS policies: 5.5.1; 5.5.3; 5.5.5; 7.5.4; 7.5.5; 9.5.2; 12.5.1 - 12.5.4. Has regard to Proposed RPS objective 3.6.

Proposed Objective 30.2.4 Site layout and building design takes into consideration energy efficiency and conservation.	This objective is the most appropriate way to achieve the purpose of the Act as it encourages energy efficiency measures in subdivision, development and use. Using energy efficiently and sustainably can maintain resource potential for future generations (s5(2)(a), minimise effects on life supporting capacity of resources (e.g. air and water) [s5(2)(b)] and avoid or mitigate environmental effects associated with the resource use and development [s 5(2) (c)]. The objective is the most appropriate means of achieving section 7 (b) and (ba). Introducing energy conservation enables the efficient use of the land resource and enables a greater understanding of the efficiency of the end use of energy. Consistent with Goals 3.2.1, 3.2.3, and 3.2.4 of the Proposed Strategic Direction Chapter. Gives effect to RPS objectives 7.4.1; 9.4.1; 12.4.1 – 12.4.3 (inclusive); 13.4.2 and 13.4.3. Gives effect to RPS policies: 7.5.4; 7.5.5; 9.5.2; 9.5.3; 12.5.2; 12.5.3 and 12.5.4. Has regard to Proposed RPS objective 3.6 and 3.7; and policies 3.6.6 and 3.7.3.
Proposed Objective 30.2.5 Co-ordinate the provision of utilities as necessary to support the growth and development of the District.	This objective is the most appropriate way to achieve the purpose of the Act as it encourages a co-ordinated approach between the development of the District and the provision of utilities and services. This is necessary to ensure areas are capable of being serviced and that the timing of services facilitates development of an area. Using and developing utilities sustainably can maintain resource potential for future generations (s5(2)(a), minimise effects on life supporting capacity of resources (e.g. air and water) [s 5(2)(b)] and avoid or mitigate environmental effects associated with the resource use and development [s 5(2) (c)]. Consistent with Goals 3.2.1, 3.2.4 and 3.2.5 of the Draft Strategic Directions Chapter. Gives effect to RPS objectives 5.4.1; 5.4.2; 5.4.3; 6.4.2; 6.4.3 7.4.1; 9.4.1; 9.4.3; 12.4.1 – 12.4.3 (inclusive). Has regard to Proposed RPS objectives 3.6 and policies 3.6.5.
Proposed Objective 30.2.6 The establishment, efficient use and maintenance of utilities necessary for the well-being of the community.	This objective is the most appropriate way to achieve the purpose of the Act as it recognises the important role of utilities in providing essential services to the community and the need for the establishment and on-going functioning, maintenance and upgrading of utilities. Using and developing utilities sustainably can maintain resource potential for future generations (s5(2)(a), minimise effects on life supporting capacity of resources

	(e.g. air and water) [s 5(2)(b)] and avoid or mitigate environmental effects associated with the resource use and development [s 5(2) (c)]. In respect of matters under Sections 6 and 7, the objective is the most appropriate way to meet the purpose of the Act in that it provides a framework which will promote the efficient use of natural and physical resources [s7(b)] efficiency in the end use of energy [s7(ba)] and effects on the environment from the establishment, efficient use and maintenance of utilities, including the quality of the environment [s7(f)] are minimised. Consistent with Goals 3.2.1, 3.2.4 and 3.2.5 of the Proposed Strategic Direction Chapter. Gives effect to RPS objectives 5.4.1; 5.4.2; 5.4.3; 6.4.2; 6.4.3 7.4.1; 9.4.1; 9.4.3; 12.4.1 – 12.4.3 (inclusive). Has regard to Proposed RPS objective 3.6 and policy 3.6.5.
Proposed Objective 30.2.7 Avoid, remedy or mitigate the adverse effects of utilities on surrounding environments, particularly those in or on land of high landscape value, and within special character areas.	In terms of addressing potential adverse effects of utilities activities, the proposed objective is considered to be the most appropriate to meet the purpose of the Act. The objective focuses on managing potential effects of utilities on the surrounding environments in general and those areas of the District in areas of high landscape value or special character. An objective that requires the management of adverse effects is consistent with s5(2)(c). In respect of matters under Sections 6 and 7, the objective is the most appropriate to meet the purpose of the Act in that it provides a framework which will ensure that utilities activities are managed and used efficiently [s 7(b)] and effects on the environment from the development of utilities, including effects on natural features and landscapes s6(a); ecosystems [s 7(d)] and the quality of the environment [s7(f)] are minimised. Consistent with Goals 3.2.1, 3.2.4 and 3.2.5 of the Proposed Strategic Direction Chapter. Gives effect to RPS objectives 5.4.1; 5.4.2; 5.4.3; 6.4.2; 6.4.3 7.4.1; 9.4.1; 9.4.3; 12.4.1 – 12.4.3 (inclusive). Has regard to Proposed RPS objective 2.2 and policy 2.2.4.

The above objectives have been considered against Part 2 of the Act, the RPS (Operative and Proposed), and the Proposed Strategic Direction chapter of the proposed plan. The proposed objectives are considered the most appropriate method of achieving the purpose of the Act, as they identify and give direction as to the how the specific issues that pertain to Energy and Utilities are to be addressed.

9. Evaluation of broad options for achieving Objectives Section 32 (1) (b)(i)

As required by section 32(1)(b)(i) RMA, the following section considers the reasonably practicable options for achieving the proposed objectives. This assessment is carried out in relation to the proposed provisions of Chapter 30, which includes the proposed policies and rules relating to Energy and Utilities.

10. Broad options considered for achieving the objectives (Section 32(1)(b)(i))

10.1 Energy

Proposed Objective 30.2.1 - The benefits of the District's renewable and non-renewable energy resources and the electricity generation facilities that utilise such resources are recognised as locally, regionally and nationally important in the sustainable management of the District's resources.

Proposed Objective 30.2.2 – Recognise that the use and development of renewable energy resources have the following benefits:

- Maintains or enhances electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;
- Maintains or enhances the security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;
- Assists in meeting international climate change obligations; and
- Reduces reliance on imported fuels for the purpose of generating electricity.

Proposed Objective 30.2.3 - Energy resources are developed and electricity is generated, in a manner that minimises adverse effects on the environment.

Option 1: Retain the provisions of the operative District Plan.

Option 2: Retain and improve the operative provisions within each zone.

Option 3: Comprehensive review of the objectives, policies and rules and provisions relating to renewable electricity generation.

	Option 1: Status quo/ No change	Option 2: Retain and improve existing provisions	Option 3: Comprehensive review of provisions and structure of District Plan
Cons	• As a 'first generation' District Plan the broad energy provisions do not sufficiently address the directions contained in the NPS-REG. The existing framework does not recognise Small and Community Scale Renewable Electricity Generation and the rules result in unnecessary resource consent assessments. • Uncertainty and delays for third parties requiring consent for renewable electricity	• Has costs associated with going through the District Plan Review process (but this is required by legislation). • Retaining provisions throughout each zone in the plan is more complex and difficult to administer. To address the requirements of the NPS-REG, this approach would result in considerable duplication. • Operative provisions do not sufficiently	• A comprehensive review will result in the addition of a new chapter to the District Plan (and associated cost). • Financial costs associated with going through the District Plan Review process (but this is required by legislation).

	generation activities.	address the broad range of energy generation and utility uses and therefore such a review would not go far enough to establish the appropriate policy content. • Operative provisions do not provide clarify over the desired outcomes for energy generation; or specific support for Small Scale Renewable Electricity Generation.	
Pros	• Retains the established approach which parties are familiar with. • Low cost for Council.	• Retains but improves the approach parties are familiar with.	• A comprehensive review provides for a targeted response to the directions contained in the NPS-REG. NPS-REG requires Councils to adopt a positive and proactive policy response to renewable electricity generation activities. • Greater clarity regarding the desired outcomes for energy generation within the District. • Greater scope to encourage Small Scale Renewable Electricity Generation; energy conservation, and energy efficient design. • Greater scope to provide policies which protect the operational requirements of energy infrastructure and utilities, recognising their strategic importance to the District.
Summary	Based on the above assessment, Option 3 is considered the most appropriate option for achieving the Energy objectives of the proposed plan. A comprehensive review is required to address the deficiencies of the operative District Plan, and to provide greater scope to encourage Small Scale Renewable Electricity Generation; energy conservation, and energy efficient design. A comprehensive review is able to best address the requirements of NPS-REG and NSPET.		

Proposed Objective 30.2.4 - Site layout and building design takes into consideration energy efficiency and conservation.

Option 1: Retain the provisions of the Operative District Plan.

Option 2: Retain and improve the operative provisions within each zone.

Option 3: Comprehensive review of the objectives, policies and rules and provisions relating to Energy and Utilities.

	Option 1: Status quo/ No change	Option 2: Retain and Improve Existing Provisions	Option 3: Comprehensive Review of Provisions and Structure of District Plan
Cons	- Does not provide the opportunity to update the Energy provisions. - Energy and energy efficiency are currently considered under the District Wide Issues in section 4.5 of the District Plan which does not adequately recognise or provide for the requirements of the NPS-REG.	- Has costs associated with going through the District Plan Review process (but this is required by legislation). - Would result in a change from the status quo – Plan users would need to become familiar with new provisions.	- Has costs associated with going through the District Plan Review process (but this is required by legislation). - Would result in a change from the status quo – Plan users would need to become familiar with new provisions.
Pros	- Maintains the established approach which parties are familiar with. - Low cost for Council. - Some provisions of the District Plan are working well.	Some provisions of the District Plan are working well, but could be improved with further minor amendments.	- Prevents duplication of issues and improves administration of the plan. - Addresses the requirements of NPS-REG in a comprehensive way and provides for a focused approach to energy efficiency and conservation. - Aligns with provisions of the other chapters of the proposed District Plan for the encouragement of energy efficient building design, including certification under the Homestar and Green Star tools.
Summary	Based on the above assessment, Option 3 is considered the most appropriate option for achieving the energy efficiency objective of the proposed plan.		

10.2 Utilities

Proposed Objective 30.2.5 - Co-ordinate the provision of utilities as necessary to support the growth and development of the District.

Proposed Objective 30.2.6 - The establishment, efficient use and maintenance of utilities necessary for the well-being of the community.

Proposed Objective 30.2.7 - Avoid, remedy or mitigate the adverse effects of utilities on surrounding environments, particularly those in or on land of high landscape value, and within special character areas.

Option 1: Retain the provisions of the Operative District Plan.

Option 2: Retain and improve the operative provisions within each zone.

Option 3: Comprehensive review of structure of District Plan and amend and improve provisions to align with updated legislation and a need to simplify the Plan.

	Option 1: Status quo/ No change	Option 2: Retain and Improve Existing Provisions	Option 3: Comprehensive Review of Structure of District Plan and Amend and Improve Provisions
Cons	• Would retain the current provisions (objectives, policies and rules) as they stand. This will allow for the familiarity of users to remain but would not address the deficiencies identified through monitoring and would not address current anomalies in the District Plan.	• Has costs associated with going through the District Plan Review process (but this is required by legislation). • Would result in a change from the status quo – Plan users would need to become familiar with new provisions. • This would address minor issues within the provisions but does not significantly improve the clarity and continuity of the chapter. As such it fails to simplify and streamline.	• Has costs associated with going through the District Plan Review process (but this is required by legislation). • Would result in a change from the status quo – Plan users would need to become familiar with new provisions.

Pros	• Maintains the established approach which parties are familiar with. • Low cost for Council. • Some provisions of the operative District Plan are working well.	• As identified in the Section 17: Utilities Monitoring Report 2011 some provisions of the District Plan are working well, but could be improved with further minor amendments. • Retains established approach but introduces amendments where necessary to improve clarity and assist implementation.	• Requires the provision to be examined in light of the current needs of the District, with updated legislation and a need to simplify the District Plan as part of a wider staged Review. The resultant provisions would not be any less effective than Option 2 but readability and relevancy would be greatly improved. • This option allows clearer links between objectives, policies and rules, and alignment with the Strategic Direction chapter.
Summary	Based on the above assessment, Option 3 is considered the most appropriate option for achieving the Utilities objectives of the proposed plan.		

11. Scale and Significance Evaluation – Section 32(1)(c)

The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions relating to Energy and Utilities. In making this assessment, regard has been had to the following, namely whether the objectives and provisions:

- Result in a significant variance from the existing baseline (Section 32(3)).
- Have effects on matters of national importance.
- Adversely affect those with specific interests, e.g., Tangata Whenua.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

The level of detail of analysis in this report is moderate. A number of elements of the Energy and Utilities chapter build upon existing approaches in the Operative District Plan; and seek to reflect the requirements of higher level national policy and standards. In addition, the proposed provisions seek to rectify identified issues with the operative provisions; as identified through monitoring undertaken in 2011.

To inform this analysis, the following documents have been given particular consideration:

- NPS-REG: The National Policy Statement for Renewable Electricity Generation 2011
- NSPET: The National Policy Statement for Electricity Transmission 2008
- The National Environmental Standards for Electricity Transmission Activities;
- The National Environmental Standards for Telecommunication Facilities Regulations 2008;
- District Plan Review Section 32 Analysis Section 17 – Utilities, QLDC December 2012 (**Attachment 1**)
- Monitoring Report: Section 17: Utilities, QLDC, 28 October 2011 (**Attachment 2**)

12. Evaluation of the proposed provisions Section 32 (1)(b)(ii)

Under section 32 (2)(a) an assessment under section 32(1)(b)(ii) must identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for —

- (i) *economic growth that are anticipated to be provided or reduced; and*
- (ii) *employment that are anticipated to be provided or reduced (section 32(2)(a)).*

In relation to Chapter 30, the implementation of the proposed provisions may result in opportunities for economic growth and employment opportunities due to the enabling nature of the provisions relating to renewable electricity generation. In addition, the costs associated with implementation of the NPSET may result in costs due to restrictions on the use of land.

The necessary assessment of the proposed policies, rules and other methods under sections 32(1)(b)(ii) and (2)(a), is provided below. The policies, rules and other methods that are specific to Energy and Utilities have been assessed for their appropriateness in achieving the proposed objectives and the overarching Strategic Directions chapter of the proposed plan.

Many of the proposed policies and rules relating to Energy outlined in this section are new to the District Plan. Many of the Utilities policies and rules do not significantly depart from those of the Operative District Plan with the exception where amendments are required to comply with National Environmental Standards and National Policy Statements.

12.1 Energy

Proposed Objective 30.2.1 - The benefits of the District's renewable and non-renewable energy resources and the electricity generation facilities that utilise such resources are recognised as locally, regionally and nationally important in the sustainable management of the District's resources.

Proposed Objective 30.2.2 - Recognise that the use and development of renewable energy resources have the following benefits:

- Maintains or enhances electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;
- Maintains or enhances the security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;
- Assists in meeting international climate change obligations; and
- Reduces reliance on imported fuels for the purpose of generating electricity.

Proposed Objective 30.2.3 - Energy resources are developed and electricity is generated, in a manner that minimises adverse effects on the environment.

Summary of proposed provisions that give effect to these objectives:

- Enabling provisions which promote the use of small and community scale distributed electricity generation and solar water heating (with a rated capacity of less than 3.5kW) as Permitted activities subject to compliance with performance standards
 - Introduce performance standards to address potential effects associated with various forms of renewable electricity generation.
 - Promotion of solar installations on buildings
 - Discretionary activity status for renewable electricity generation activities in sensitive areas.
 - New set of rules which take precedence over rules in each zone.
 - Identifies those provisions in the District Plan which will not over-ride the Energy and Utilities Chapter.
 - To provide for associated buildings to be permitted in the underlying zone up to 10m² in area.
 - Non-complying status for power generation from non-renewable sources – exemptions are provided for standby generators and Stand Alone Power systems.

Proposed provisions	Environmental, Economic, Social and Cultural Costs	Environmental, Economic, Social and Cultural Benefits	Effectiveness, Efficiency & Appropriateness
Energy Policies: Recognising the Benefits <i>Policy 30.2.1.1 and 30.2.1.2</i> <i>Policy 30.2.2.1</i> Energy Rules: <i>Rule 30.4.2</i> <i>Rule 30.4.3</i>	Costs to Council to develop plan provisions, implement plan updates and administer plan and approvals processes.	Can help to enable economic growth through energy development in appropriate locations where it can be developed without resulting in adverse effects on the environment. The policies recognise the benefits of renewable energy and the importance of developing renewable energy sources to meet the NPS-REG targets for renewable	These policies are the most appropriate to achieve the objectives as they seek a balance between the benefits of developing energy resources and electricity generation and the adverse effects and constraints associated with their development. The plan seeks to enable these activities subject to compliance with site standards to mitigate their potential adverse effects.

		electricity generation. Rule 30.4.2 will enable small generation to occur without the need for resource consent and associated costs. By reducing regulation around the installation process it is aimed to remove impediments and increase local uptake of renewable technologies. If a consent process is triggered the extent of assessment is limited – this should ensure that the process is not unduly onerous. Permitted small scale generation systems are limited to a domestic scale of 3.5kW, and exclude wind electricity generation (Wind electricity generation is captured as a Discretionary activity by Rule 30.4.3). Social, cultural and environmental benefits resulting from reducing the effects on the environment of non-renewable sources and better providing for the health and well-being of the environment and community. Reduces community reliance on non-renewable sources of energy and helps to realise the associated social and environmental benefits.	Use of site standards is considered the most efficient and effective mechanism. The policies and rules are effective in terms of providing consistency with the NPS-REG. The policies and rules are considered to be the most appropriate way to achieve the objective.
Potential Effects Policy 30.2.3.2 (Wind generation) Policy 30.2.3.3 (biomass generation) Policy 30.2.3.4 (Renewable Generation) Policy 30.2.3.5 Policy 30.2.3.6 (offsets)	Costs to Council to develop plan provisions, implement plan updates and administer plan and approvals processes.	Greater likelihood of avoiding or mitigating environmental effects from small scale generation activities. Greater security of supply through local and developed generation activities. Improved transmission efficiency and reduced costs by reducing the distance between generation and users.	The combination of energy policies and rules will result in an efficient and effective regulatory and management framework. This framework will provide for the development of energy resources whilst minimising adverse environmental effects and promote renewable electricity generation. The policies are efficient and effective in

		Promotes greater community energy independence and resilience to costs and interrupted supply from events such as natural disasters. This has clear benefits to community social and economic wellbeing.	that they recognise that small and community scale renewable electricity generation can be mitigated and carried out with minimal adverse effects on the environment. Larger scale generation requires assessment to ensure significant adverse effects on landscape values and areas of significant indigenous flora and fauna are avoided. This is considered appropriate. These policies are considered the most appropriate way to achieve the objectives.
<u>Non-Renewable Sources</u> <i>Policy 30.2.3.7</i> <i>Rule 30.4.6 and 30.4.7</i>	The environmental costs of generating electricity from non-renewable sources are very high and for this reason the plan seeks to discourage this type of generation through the adoption of non-complying activity status.	These policies provide a framework for consideration of non-renewable energy resource development within the District. The policies enable the Council to consider how non-renewable electricity generation might be provided in areas with minimal effects. Provides for standby power generators as a means of providing essential public, civic and health and community services. The policy framework provide for non-renewable stand-by generators. These provide back-up for essential services and form a necessary part of SAPs in remote locations. The benefits of standby generators outweigh the environmental costs of use of non-renewable fuel.	These provisions are considered to be neutral in terms of efficiency. These provisions are effective in terms of providing a District wide framework for non-renewable electricity generation. A non-complying activity status is an effective way of ensuring that new proposals for non-renewable electricity generation are rigorously assessed to ensure that potential adverse effects are minimised. These provisions are considered to be the most appropriate way to achieve the objectives.
<i>Proposed Rule 30.4.3</i> <i>Sensitive Environments</i>	This rule may result in additional compliance costs arising. However, any compliance costs are considered acceptable when balanced with the potential for adverse effects from small and	These sensitive environments are identified in the plan as having special values and qualities. The benefits arising from this rule will be to ensure that small and community scale distributed electricity generation do	The proposed rule will result in the efficient management of small and community scale distributed electricity generation activities in sensitive environments.

	community scale distributed electricity generation in sensitive areas.	not result in adverse effects on the sensitive environments. The discretionary activity rule provides for a case-by-case assessment ensuring that adverse effects can be avoided.	The environments are sensitive to change and a discretionary assessment is considered the most effective way of avoiding potential adverse effects without compromising the value of the natural and physical resource at stake. The rule is considered the most appropriate way to achieve the objectives.
<i>Rule 30.4.5 (Renewable Electricity Generation)</i>	Resource consent costs and uncertainty of obtaining approval may be a deterrent to prospective renewable electricity generation.	A case-by-case assessment will ensure that amenity and highly valued landscape values are not adversely impacted.	This rule triggers a discretionary assessment for renewable electricity generation, other than small and community scale. "Medium to large scale" renewable electricity generation activities have the potential to generate a wide range of adverse effects. Within the diverse range of environments within the District a case-by-case assessment of these effects is considered the most efficient and effective method. The rule is considered the most appropriate way to achieve the objectives.
Proposed Rule 30.6.1 Non-notification of applications for: <i>Stand-Alone Power Systems (SAP's).</i> <i>Small and Community Scale Distributed Electricity Generation</i> <i>Controlled activities</i> <i>Discretionary activities for Flood Protection Works</i>	Neighbours may still consider themselves affected by even small SAP' or Utilities.	SAP's provide an alternative to distributed power and where practicable are the preferred option to over-head line's running into remote areas with associated visual and landscape effects. By specifying non-notification for SAP's and controlled activities it is aimed to reduce the complexity of the resource consent process to non-notified. This creates economic efficiencies through the avoidance of consent delays. All activities which cannot achieve the	This rule is considered effective as SAP's by definition relate to remote sites that do not have connection to the local distribution network. Installations on these remote sites are unlikely to impact on neighbours. It is considered efficient to limit the resource consent process to non-notified. This provision is considered effective as it provides certainty around notification, however does not preclude the decision makers consideration of effects on other parties. The rule is efficient in that it removes

		permitted activity requirements default to a fully discretionary activity, therefore decision makers have the ability to decline consent should the effects be considered too great.	potential delays in the consenting process. The rule is considered the most appropriate way to achieve the objectives.
Energy Standards <i>Rule 30.5.1</i> <i>Solar Electricity Generation and Solar Water Heating</i>	In zones where external appearance of buildings is assessed this rule may result in different materials being used. The benefits of enabling renewable electricity generation outweigh these potential adverse visual effects. The imposition of bulk and location standards in the zone in which Solar is located may result in resource consent and associated costs.	By treating all the components of Solar equally it simplifies the provisions and makes them easier to understand. This rule enables roof top spaces to be utilised for solar installations. A minor increase to the maximum height limit is enabled (which varies for sloping and flat roofs) ensuring that no compromise on height is necessary to encourage installation of solar panels. A threshold of 150m² for free standing structures enables sufficient area for a typical dwelling to be serviced, while only triggering resource consent assessment where larger scale has potential for visual and landscape effects.	The rule is considered to be efficient and effective as it seeks to provide for all of the components of solar energy activities in a single standard. The rule is considered the most appropriate way to achieve the objectives.
Energy Standard <i>Rule 30.5.2</i> <i>Mini and Micro Hydro Electricity Generation</i>	If consent is required by both the District Council and Regional Council it can add considerable time and cost to installing these types of installations.	Mini and micro hydro installations have limited land-use effects and by reducing regulation around the installation process it is aimed to remove impediments and increase local uptake of renewable technologies.	The proposed standard is considered to be efficient in that it seeks to provide for mini and macro hydro electricity generation and gives effect to the Otago Regional Water Plan in relation to this issue. In addition the standard is considered to be effective in terms of the requirements of the National Policy Statement for Freshwater Management 2011 which specifically acknowledges <i>Additional National Values</i> which include economic/commercial development including hydro-electric power generation.

			The standard is considered the most appropriate way to achieve the objectives.
Energy Standard Rule 30.5.3 <i>Wind Electricity Generation</i>	Imposing a maximum height in accordance with buildings in the zone in which the installation is located will in many cases not provide sufficient flexibility for generation purposes and is likely to trigger resource consent and associated costs. Resource consent process and associated costs for small installations and monitoring masts. Neighbours may perceive nuisance effects from any wind installation.	In residential zones the potential for nuisance effects on neighbours is minimised though the exercise of discretion over design, visual effects and installation standards.	This rule is considered to be neutral in terms of efficiency. This rule is effective in terms of providing for wind electricity generation in the various zones without adversely impacting on amenity values. The standard is considered the most appropriate way to achieve the objectives.
Energy Standard Rule 30.5.4 <i>Biomass Electricity Generation</i>	The costs of transporting fuel can be high. If consent is required by both the District Council and Regional Council it can add considerable time and cost to installing these types of installations.	Waste products can be put to good use through these technologies, which continue to be developed and improved	The proposed rule is considered efficient and effective as it targets the potential effects of biomass electricity generation and places control over the storage of materials and traffic effects. The standard is considered the most appropriate way to achieve the objectives.
Energy Standard Rule 30.5.5 <i>Associated buildings</i>	Where an existing building on site is not able to be utilised, 10m² may not provide sufficient area for the development of an accessory building and resource consent with associated costs may be triggered.	A threshold of 10m² / 2.5m in height provides flexibility for a small associated building and removes a potential impediment to installations in locations where buildings require resource consent.	This rule is considered to be neutral in terms of efficiency. This rule is effective in terms of providing for small scale buildings associated with renewable electricity generation without adversely impacting on amenity values. The standard is considered the most appropriate way to achieve the objectives.

Proposed Definitions: • Biomass Electricity Generation; • Mini & Micro Hydro Electricity Generation; • Photovoltaics; • Renewable Energy; • Renewable Electricity Generation; • Renewable Electricity Generation Activities; • Small and Community Scale Distributed Electricity Generation; • Solar Electricity Generation; • Solar Water Heating Stand-Alone Power Systems (SAPs); • Wind electricity Generation.	New With renewable electricity generation technologies changing and evolving overtime the definitions have the potential to become out-dated, with associated administrated costs.	The new definitions are considered necessary to ensure consistent interpretation of the proposed objectives, policies and rules.	The definitions of “Renewable Electricity Generation”, “Renewable Electricity Generation Activities” and “Small and Community Scale Distributed Electricity Generation” have been based on the NPS-REG. The new definitions are considered to be efficient and effective in terms of the administration of the District Plan. The definitions are considered to be the most appropriate way to achieve the objectives.
Proposed 30.3.3.3 - Clarification <i>This rule specifies that the rules take precedence over any other provisions that would capture these activities. Unless specifically stated to the contrary.</i>	No costs have been identified associated with this rule.	This enables specific rules for renewable electricity generation activities to be included in a stand-alone chapter, making it easier for people to access and simpler to administer. It also reduces the inefficiency of duplicating provisions for renewable electricity generation across each zone.	This rule provides the mechanism for the chapter to be stand-alone which has been demonstrated to be efficient and effective in the first generation plan. This rule is considered to be the most appropriate way to achieve the objectives.

Proposed Objective 30.2.4 - Site layout and building design takes into consideration energy efficiency and conservation.

Summary of proposed provisions that give effect to these objectives:

- Introducing a more focused objective relating to energy efficiency derived from the existing Energy objectives in the District Wide Provisions of the District Plan.
- Enabling provisions which promote energy efficiency in design in zone provisions.
- Encouragement for certification against recognised sustainable building tools, including Homestar™ and Green Star.

<i>Proposed provisions</i>	<i>Environmental, Economic, Social and Cultural Costs</i>	<i>Environmental, Economic, Social and Cultural Benefits</i>	<i>Effectiveness, Efficiency & Appropriateness</i>
<i>Energy Policies:</i> <i>Policy 30.2.4.1</i> <i>Policy 30.2.4.2</i> <i>Policy 30.2.4.4</i> <i>Policy 30.2.4.5</i> <i>Policy 30.2.4.6</i>	Cost of maintaining a regulatory regime.	Promotion of energy efficiency will result in good urban design, in particular connectivity, which is a recurrent theme within the Strategic Direction Chapter. A more efficient liveable and attractive residential environment can improve the health and wellbeing of residents and the wider community. Good urban design and site development can significantly reduce costs related to energy resources. The Council's main area of influence with respect to energy conservation relates to the location and design of land-use activities, subdivisions and buildings. The location of land-use activities relative to one another can be a significant determinant in the length and number of vehicle trips undertaken. Therefore the implementation methods for these policies will be specific provisions within the various zones throughout the District seeking to control site sizes for residential units, shading of adjoining properties and orientation of outdoor living areas.	The proposed provisions enable energy efficiency principles to be promoted resulting in a high quality sustainable urban environment to be achieved. This is considered to be an effective and efficient method of encouraging energy efficiency in a manner consistent with the outcomes sought by the relevant objectives. The provisions are considered the most appropriate way to achieve the objectives.

		Forests are important “sinks” which trap and breakdown greenhouse gases. Districts with a large rural hinterland are the most likely location for future carbon “sinks”. Woodlots for firewood are temporary “sinks” but are a renewable non-fossil source of domestic heat. Any adverse consequence in terms of air pollution is overcome by high temperature insulated fireboxes, which combust the greater part of the wood and are virtually smokeless.	
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12.2 Utilities

Utilities Objectives

Proposed Objective 30.2.5 - Co-ordinate the provision of utilities as necessary to support the growth and development of the District.

Proposed Objective 30.2.6 - The establishment, efficient use and maintenance of utilities necessary for the well-being of the community.

Proposed Objective 30.2.7 - Avoid, remedy or mitigate the adverse effects of utilities on surrounding environments, particularly those in or on land of high landscape value, and within special character areas.

(Strategic Directions Chapter – Proposed Objectives): – Objective 3.2.1.3; Objective 3.2.1.5; Objective 3.2.2.1.

Summary of proposed provisions that give effect to these objectives:

- New policies to provide for the requirements of the NSPET.
- Development standards which provide clarity to permitted activities.
- Development standards which reflect the requirements of the NSPET.
- Permitted activity status for any utility which is not defined as a controlled or discretionary or non-complying activity to remain.
- Lines and supporting structures to convey electricity up to 110kV (except minor upgrading) remains a controlled activity.
- Flood protection works remain a discretionary activity.
- Waste management facilities remain a discretionary activity.
- Lattice towers or overhead lines and support structures and any mast for any purpose (except street lighting) and antenna greater than 1.2m in diameter (except omnidirectional or whip antenna not exceeding 4 metres in length) remain non-complying activities within the Remarkables Park Zone.
- Setbacks from internal boundaries and road boundaries to be set back in accordance with the setback requirements for accessory buildings in the zone in which it is located
- Standard relating to Height to remain.
- Non notification of controlled activity applications.

<i>Proposed provisions</i>	<i>Environmental, Economic, Social and Cultural Costs</i>	<i>Environmental, Economic, Social and Cultural Benefits</i>	<i>Effectiveness, Efficiency & Appropriateness</i>
<i>Utilities Policies</i> <i>– Co-ordinated Development</i> <i>Policy 30.2.5.1</i> <i>Policy 30.2.5.2</i> <i>Policy 30.2.5.3</i>	Costs associated with complying with Plan requirements.	These provisions enable the various objectives to be given effect to by providing for the co-ordinated development of local, regional and nationally significant infrastructure.	These policies are effective and efficient as they give effect to the various objectives by encouraging a co-ordinated approach between the development of the District and the provision of utilities and services. This is necessary to ensure areas are capable of being serviced and that the timing of

<i>Policy 30.2.5.4</i> <i>Policy 30.2.5.5</i>			services facilitates development of an area. These provisions are considered the most appropriate way to achieve the objectives.
<i>Establishment of Utilities</i> <i>Policy 30.2.6.1</i> <i>Policy 30.2.6.2</i> <i>Policy 30.2.6.3</i> <i>Policy 30.2.7.2</i> <i>Policy 30.2.7.3</i> <i>Policy 30.2.7.4</i>	No significant costs identified.	The policies provide an enabling framework for the establishment, efficient use and maintenance of utilities. The District Plan establishes a framework within which utilities can be planned with greater certainty.	The utilities policies provide an efficient and effective regulatory and management framework for local, regional and nationally significant infrastructure. This framework will provide for the development of utilities whilst minimising adverse environmental effects. These policies are considered the most appropriate way to achieve the objectives.
<i>Provisions relating to National Grid</i> <i>Proposed Policy 30.2.6.4</i> <i>Utilities Standards</i> <i>Proposed Rule 30.4.11, 30.4.12</i> <i>Proposed Rule National Grid Corridors</i> <i>Rule 30.5.10</i>	Potential for reduced development potential of sites that include the Transmission Corridor. The objectives and policies outlined in the NPS ET are specific and are not fully given effect to by the existing objectives and policies in the Operative District Plan, it is important to recognise that the NPS only applies to one transmission line that runs through the District. This line is managed by Transpower, who provided feedback during the Council's monitoring of the existing Utilities provisions and provided preliminary advice in terms of implementation of the NPSET.	Transpower has refined its approach to electricity transmission corridor management, by introducing a "National Grid Yard" calculated based on risks from development for the different size transmission lines, and allowing appropriate land use activities and managing inappropriate land use activities within this yard. This refined approach has been adopted in the proposed policy and proposed rule 30.5.10. Clear provisions relating to the construction, upgrading and maintenance of the National Grid electricity network in a safe manner in accordance with the NPS ET.	The proposed policy is considered to be efficient in that it seeks to provide for the requirements of the NPSET. The policy directs the management of effects generated by the national transmission network, and the management of effects on the network generated by development in close proximity to it. The new policy is aligned with objective 30.2.6. This is considered appropriate as it recognises the importance of the transmission corridor, and the importance of avoiding the location of sensitive activities within that corridor. The proposed additions to policy will effectively align the Plan with the NPSET in particular various policy aspects of the NPSET including policies 2, 3, 7, 8, and 10. The proposed rules will ensure Electricity Transmission infrastructure can be

			developed efficiently in the District. The rule proposed will effectively avoid any conflict and will ensure the Plan is aligned with the requirements of the NPS provisions. A new rule referring to the NPSET is considered appropriate as it ensures the Plan gives effect to the NPS and users of the Plan are made aware of the NPSET requirements. This provision is considered effective as it provides certainty around development within the vicinity of Transmission Corridors. The proposed policy and rules have been assessed as the most appropriate way to achieve the objectives.
<i>Proposed Utilities</i> 30.2.6.5	Subdivision, use and development can result in adverse effects, including reverse sensitivity effects, on existing or proposed utilities. Potential for conflict with adjoining landowners over perceived reverse sensitivity issues. Potentially some restrictions on how private land can be used close to infrastructure	Utilities are protected from incompatible subdivision, use and development. The District Plan establishes a framework within which utilities can be planned with greater certainty. Fewer complaints from adjoining landowners affected by the development, operation and maintenance of utilities. Seen to be complying with relevant National Environmental Standards and National Policy Statements.	The proposed policy gives effect to objective 30.2.6 through clear recognition that amenity values will need to be balanced with the functional requirements of utilities. The policy will provide for the efficient development, use and maintenance of utilities. The efficiency and effectiveness of the proposed policy will assist in achieving the proposed objective. The proposed policy has been assessed as the most appropriate way to achieve the objectives.

<i>Proposed Utilities Policy</i> 30.2.7.1	Utility operators maybe constrained by having to avoid locating apparatus on sensitive sites. Does not recognise that the operational and technical requirements of utilities which can influence where it can be located.	Appropriate siting at the outset will prevent future upgrades being frustrated by reverse sensitivity effects. Investment in utilities will be optimised through siting decisions that provide for maximum use of the infrastructure. This policy will also have beneficial environmental and social outcomes, through the management of adverse amenity effects. This coordination of large numbers of utilities in key sites has assisted in reducing the visual impacts of utilities in the Queenstown District. However it is noted that some of the key utility sites are nearing capacity in terms of the amount of equipment that can operate from them, such as the telecommunications site at the top of Deer Park Heights. There is therefore a need for a continued co-ordinated approach to ensure good resource management outcomes continue to be achieved in the future.	This proposed policy is considered to be efficient in terms of District Plan administration through providing clear guidance of the expected environmental outcomes for Utilities. The proposed policy is considered to be effective in providing clear guidance to utility operators in terms of locational considerations and focusing on reducing adverse effects where practicable. The proposed policy has been assessed as the most appropriate way to achieve the objectives.
<i>Proposed Utilities Rule 30.4.13</i> <i>Controlled Activity Telecommunication and Radiocommunication Facilities, Navigation, Meteorological Facilities</i>	No costs have been identified for these rules.	More clarity for plan users. Antennae of all shapes covered by the rules.	This rule is considered to be neutral in terms of efficiency. The proposed rule is effective in providing for all shapes of antennae associated with telecommunication and radiocommunication facilities. The proposed rule has been assessed as the most appropriate way to achieve the objectives.

Proposed Utilities Rule 30.4.15 Controlled Activity Buildings	No costs have been identified for these rules.	Increased clarity as to when resource consents are required.	It is proposed to carry over the District Plan rule which provides for buildings associated with Utilities as a controlled activity. The rule has been refocused to make it less confusing and therefore more effective in achieving the objectives and policies relating to Utilities. It is considered that efficiency will be increased as a result of greater clarity. The proposed rule has been assessed as the most appropriate way to achieve the objectives.
Proposed Utilities Rule 30.4.12 Proposed Utilities Rule 30.4.14 <i>Telecommunication and Radiocommunication Facilitates, Navigation, Meteorological Facilities</i> Proposed Utilities Rule 30.4.16 Buildings Proposed Utilities Standard 30.5.7 Buildings in Outstanding Natural Landscapes and Outstanding Natural Features	Cost to utility operators of having to obtain resource consents. The proposed rules require a resource consent to locate any line and supporting structures (except minor upgrading), mast, antenna or buildings (except buildings less than 10m² in area and less than 3m in height) within an ONL or ONF. The activity status is a discretionary activity, whereby the Council can consider a proposal in relation to the effects of the activity, both positive and adverse, at a given site on a case by case basis.	Greater protection afforded to ONL and ONF landscapes in terms of potential adverse effects from utility activities.	The discretionary activity status is an effective method to manage the adverse effects of Utilities activities on a case by case basis, while retaining the ability to consider positive effects. This proposed rule will assist in achieving proposed objective 30.2.7 and the other objectives relevant to development within Outstanding Natural Landscapes and Outstanding Natural Features which seek to protect the distinctive landscapes from inappropriate subdivision, development and use. This is considered to be an efficient method of managing and providing for utilities within the ONL and ONF landscapes. Retaining full discretion in considering utilities buildings in the distinctive landscapes on a case by case is appropriate.

			The proposed rules and utilities standard have been assessed as the most appropriate way to achieve the objectives.
Proposed Utilities Rule 30.4.14 Discretionary Activity Telecommunication and Radiocommunication Facilitates, Navigation, Meteorological Facilities	Potential cost to Utility operators from having to obtain resource consents to locate apparatus in sensitive areas. More restrictive provisions within sensitive areas (historic precincts, open space zones and Town Centres). The proposed changes reflect the importance of managing adverse effects from utilities within these areas.	Greater protection of the amenity values of sensitive areas due to controls on height and appearance. The height standards are more permissive to provide for masts etc within the business and industrial zones.	The rule is considered effective and efficient in managing and providing for telecommunication and radiocommunication; navigation and meteorological facilities in defined areas of ONL and ONF and other sensitive areas. Retaining full discretion in considering utilities buildings in the distinctive landscapes on a case by case is appropriate. The proposed rule has been assessed as the most appropriate way to achieve the objectives.
Proposed Utilities Standard Rule 30.5.9 Compliance with New Zealand Standards	Cost to applicants associated with site management and potential for resource consent requirements.	Adverse effects on surrounding waterways and possibility of risk of failure of earthworks and facilities may be reduced by ensuring that appropriate New Zealand Standards are complied with.	This rule is considered to be neutral in terms of efficiency. This rule is effective in that it requires adherence to New Zealand Standards to avoid, remedy or mitigate the adverse effect of utilities (including their construction) on the surrounding environments. New Zealand Standards 4404:2011 is the accepted best practice standard for engineering works including assessment and design to ensure structures are resilient to hazards. It is appropriate to require that utility activities comply with this standard. If the standard is not met then a discretionary activity consent would be required. The proposed rule has been assessed as

			the most appropriate way to achieve the objectives.
Proposed District Plan Map Amendments	Potential for reduced development opportunities of sites that include the Transmission Corridor.	Clear provisions relating to the construction, upgrading and maintenance of the National Grid electricity network in a safe manner in accordance with the NPSET.	It is proposed to add a "Transmission Corridor" to the District Plan Maps along the length of the current Cromwell to Frankton 110kV line where it traverses the District. This is to identify the corridor and allow rules to be developed to control what can occur in these areas in accordance with the NPSET provisions. Consultation with Transpower New Zealand and a review of their future plans as outlined in their Annual Plan 2012 has revealed that no new 110kV (or greater) line is proposed over the Plan life therefore no other corridors are required to be established. The corridor shall be identified in accordance with Figure 2 of the Transmission Corridor Activity Management of the <i>National Policy Statement on Electricity Transmission: Further Guidance on Risks of Development near High Voltage Transmission Lines</i>. This provision is considered effective as it provides certainty around development within the vicinity of Transmission Corridors. The rule is efficient in that it provides certainty in relation to the consenting process. This provision is considered the most appropriate way to achieve the objectives.

Proposed Utilities Rule 30.4.8 <i>Permitted activity</i> <i>default for utilities</i> Proposed Utilities Rule 30.4.11 Lines and Supporting Proposed Utilities Rule 30.4.12 Lines and Supporting Structures Proposed Rule 30.4.17 Flood Protection Works Proposed Rule 30.4.19 Waste management facilities Proposed Rule 30.4.21	Costs associated with complying with Plan requirements.	These provisions enable the various objectives to be given effect to by maintaining the levels of amenity expected within the various zones and putting appropriate controls around activities that could cause adverse environmental effects, or need specific consideration. These provisions further provide for local, regional and nationally significant infrastructure. Address specific issues, associated with utilities activities and managing the effects of such activities throughout the various zones in the District.	These provisions will be carried over and are effective and efficient as they give effect to the various objectives by placing appropriate controls on utilities activities, whilst continuing to enable the establishment, operation/use, maintenance and upgrade of utilities activities. These provisions are considered the most appropriate way to achieve the objectives.
Definitions <i>Utility"</i>	Using the utility provisions for private utility development will not be possible under the new definition. Resource consents will be required for private infrastructure under normal provisions for the zone where they are proposed.	The utility provisions will be used for their intended purpose i.e. to provide for the efficient provision of essential utilities that provide a wider community benefit.	The proposed definition is considered to be efficient and effective in terms of the administration of the District Plan. Further, definitions are an effective and efficient way of categorising activities for the purpose of administration of rules. The definition is considered to be the most appropriate way to achieve the objectives.

13. The risk of not acting

Section 32(2)(c) of the Act requires, in the evaluation of the proposed policies and methods, the consideration of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

For the District Plan review of the Energy and Utilities provisions, it is considered that there is certain and sufficient information on the effects of Energy and Utilities activities, and how to manage potential effects to achieve the purpose of the Act. An assessment of the risk of acting or not acting is not required under section 32(2)(c).

14. Summary

Having consideration for the proposed objectives, it is considered to be the most appropriate way of achieving the purpose of the Act in terms of providing for and managing potential effects of Energy and Utilities (s32(1)(a)). The proposed provisions contained in the proposed Energy and Utilities chapter are considered to be the most appropriate way to achieve the proposed objectives, and the relevant objectives of the District Plan that are part of the proposed Strategic Directions Chapter (s32(1)(b)).

Attachments

- Attachment 1 - District Plan Review Section 32 Analysis Section 17 – Utilities, QLDC December 2012 - [link](#)
- Attachment 2 - Monitoring Report: Section 17: Utilities, QLDC, 28 October 2011 - [link](#)